

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In re Application of FRANCK BERLAMONT for
an Order Pursuant to 28 U.S.C. § 1782 to Conduct
Discovery for Use in Foreign Proceedings.

14 MISC. 00190

**DECLARATION OF SHAWN PATRICK REGAN, ESQ.,
IN SUPPORT OF OPTIMAL INVESTMENT SERVICES, S.A. AND HUNTON &
WILLIAMS, LLP'S JOINT MOTION TO VACATE *EX PARTE* ORDER, QUASH *EX
PARTE* SUBPOENA, OR FOR A PROTECTIVE ORDER**

I, Shawn Patrick Regan, under penalty of perjury, hereby make the following declaration:

1. I am over eighteen years of age. I am a partner at Hunton & Williams, LLP ("Hunton"), counsel for Optimal Investment Services, S.A. ("OIS"). I have personal knowledge of the facts stated herein, except those stated on information and belief and, if called upon, could and would testify competently to them. I make this declaration in support of OIS and Hunton's Joint Motion to Vacate *Ex Parte* Order, Quash *Ex Parte* Subpoena, or for a Protective Order.
2. I am a member of the Bar of this Court.
3. Attached as Exhibit A is a true and correct copy of the Unopposed Letter of Request for International Judicial Assistance Pursuant to the Hague Convention of 18 March 1970 on the Taking of Evidence Abroad in Civil and Commercial Matters for the Purpose of Securing Evidence for Trial from Rajiv Jaitly.
4. Attached as Exhibit B is a true and correct copy of the Amended Order for Examination that was issued by the English High Court of Justice on June 14, 2012.

5. Attached as Exhibit C is a true and correct copy of the Confidentiality Stipulation and Order, *In re Optimal U.S. Litig.*, No. 10-cv-4095 (S.D.N.Y. Sept. 12, 2011).

6. Attached as Exhibit D is a true and correct copy of the unpublished case *Via Vadis Controlling GmbH v. Skype, Inc.*, No. 12-mc-193, 2013 U.S. Dist. LEXIS 23434 (D. Del. Feb. 21, 2013).

Dated: June 30, 2014.

Respectfully submitted,



Shawn Patrick Regan, Esq.

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- and -

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*Counsel for Optimal Investment Services,
S.A. and Hunton & Williams LLP*

DECLARATION OF SERVICE

Bradford C. Mulder, hereby declares under penalty of perjury, pursuant to 28 U.S.C.

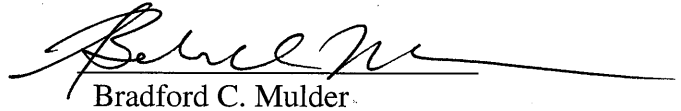
§ 1746, that:

I am the Managing Clerk at the law firm of Hunton & Williams LLP, attorneys for Optimal Investment Services, S.A. and Hunton & Williams LLP.

That on June 30, 2014, I served a true copy of the attached Declaration of Shawn Patrick Regan in Support of Joint Motion To Vacate *Ex Parte* Order and Quash *Ex Parte* Subpoena, or for a Protective Order, on counsel of record at the address listed below, by hand, by leaving same in a properly addressed envelope with a proper person at the address below, during the usual business hours.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 30, 2014.


Bradford C. Mulder

TO: O. Andrew F. Wilson
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Emery Celli Brinckerhoff & Abady LLP
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Counsel for Franck Berlamont